In the High Court of Punjab and Haryana, Chandigarh.

CWP No. 16098 of 2006

Date of Decision: 12.10.2006

Beant Kaur

....Petitioner

Versus

State of Punjab and others.

....Respondents.

Coram:- Hon'ble Mr.Justice J.S. Khehar.
Hon'ble Mr. Justice S.D. Anand.

Present: Mr. Vijay Rana, Advocate
for the petitioner.

...

J.S. Khehar, J. (Oral).

The petitioner has impugned the order dated 10.9.2006 alleging, that he had qualified the Recruitment Training Course, which is nothing but the same as the Basic Training Course. She also alleges, that although, it was not essential for her to qualify the Capsule Course as the same is not provided for under the Punjab Police Rules, yet a pre-condition was imposed on her, to qualify both the aforesaid courses, before her promotion to the rank of Head Constable.

The order dated 10.9.2006, which is subject matter of challenge at the hands of the petitioner, is extracted hereunder:-

> "You are hereby informed that you are allowed to sit in the B-1 test on 10.9.2006 being held at Desh Bhagat Yadgar Hall, Jalandhar, subject to the condition that your case will be forwarded to the CPO, Punjab for clarification from CPO,

Punjab as you have not undergone basic training course, capsule course, which is essential for sitting in B-1 test. In case, the clarification is not received in your favour, then you have no right of any claim."

A perusal of the aforesaid order reveals, that the petitioner was permitted to appear in the B-1 test, which is a condition precedent for promotion to the rank of Head Constable. The issue of deciding whether or not the petitioner fulfilled the other conditions, would have justifiably arisen for consideration, had the petitioner taken the B-1 test. Since the petitioner, despite liberty granted to her, did not sit in the B-1 test, we are of the view, that the determination of the issues raised by the petitioner i.e. whether or not she was fulfilling the other conditions of eligibility for promotion to the rank of Head Constable, is merely academic, in so far as the present controversy is concerned.

Dismissed.

(J.S. Khehar)
Judge.

(S.D. Anand)
Judge.

12.10.2006
sk.